

**GOTTLIEB & ASSOCIATES PLLC**  
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October 31, 2024

**VIA ECF**

The Honorable Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

Re: *Espinal v. Magma Products, LLC*  
Case No.: 1:24-cv-4755

Dear Judge Failla,

The undersigned represents Frangie Espinal, on behalf of herself and all other persons similarly situated (“Plaintiff”) in the above referenced matter against Defendant, Magma Products, LLC, (“Defendant”). The undersigned respectfully requests that the Initial Conference scheduled for November 6, 2024, at 10:00 AM (Dkt. 8) be adjourned for 60 days because Counsel for Defendant has not yet answered or appeared in this action. This request will grant ample time for the Defendant to appear and discuss a possible resolution with Plaintiff’s Counsel. If at the end of this 60 day period the Defendant has still not appeared or responded, the Plaintiff requests they be able to file default judgment against the Defendant. This is the Plaintiff’s second request for an extension.

Respectfully submitted,

GOTTLIEB & ASSOCIATES PLLC

/s/ Michael A. LaBollita, Esq.  
Michael A. LaBollita, Esq.

Application GRANTED. The initial pretrial conference presently scheduled for November 6, 2024, is hereby ADJOURNED to **February 4, 2025** at **10:00 a.m.** The dial-in information remains the same and is as follows: At the scheduled date and time, the parties are to call (888) 363-4749 and enter access code 5123533.

The parties are reminded of their obligation to submit a joint pre-conference statement and proposed case management plan on or before **January 30, 2025**. (See Dkt. #6).

The Clerk of Court is directed to terminate the pending motion at docket entry 10.

Dated: November 1, 2024 SO ORDERED.  
New York, New York

Katherine Ruth Failes

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE